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10/646,610

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David A. Selby

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EXAMINER

LONG, PONYA M

ART UNIT

PAPER NUMBER

3689

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/646,610

**Applicant(s)**

SELBY ET AL.

**Examiner**

FONYA LONG

**Art Unit**

3689

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26, 33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26, 33 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date 01/28/2005.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This communication is a First Action Non-Final on the merits. Claims 1-26, 33, and 34, as originally filed, are currently pending and have been considered below.

#### *Election/Restrictions*

1. Claims 27-32 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on February 26, 2008.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 33 is rejected under 35 U.S.C. 102(b) as being anticipated by *Amazon.com* (May 21, 2002).

*Amazon.com* discloses a combo kit comprising: a first power tool of a first tool type; and a second power tool of the first tool type (Page 2, discloses a Makita power tool combo kit containing two saws of a first tool type: a circular saw; and a reciprocating saw).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999).

**As per Claim 1**, Kalagnanam et al. discloses a method for providing a power tool combo kit from a provider to a customer, the method comprising the acts of:

providing an available group including multiple power tools of various tool models (Col. 4, Lines 65-67 – Col. 6, Line 35, discloses providing a list of multiple products of various models (i.e. brands));

receiving a desired request from the customer of multiple requested power tools from the available group (Col. 8, Lines 23-44, discloses receiving a list of item choices with constraints submitted by the shopper);

selecting a selected group of multiple selected power tools from the available group, the selected group corresponding to the desired request (Col. 8, Lines 23-44, discloses the server selecting from the electronic catalog a list of products which satisfy the constraints in the item choice profile); and

providing the combo kit including the selected group of multiple selected power tools (Col. 8, Lines 23-44, via presenting to the shopper a list of possible combinations of products where the shopper selects a combination of products).

However, Kalagnanam et al. fails to explicitly disclose a combo kit consisting of power tools.

Hetts discloses providing a combo kit consisting of power tools (Abstract, discloses a 14.4-volt Home Project Combo kit that consists of the three most commonly used power tools).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of providing one or more lists of product combinations to one or more shoppers of Kalagnanam et al. to include a combo kit consisting of power tools as taught by Hetts in order to provide the customer the ability to purchase a desired set of power tools.

**As per Claim 2**, Kalagnanam et al. discloses the claimed invention as applied to Claim 1, above. However, Kalagnanam et al. fails to explicitly disclose providing a carrying case.

Hetts discloses providing a carrying case having sufficient space to store the selected power tools (Abstract, discloses a lightweight carrying case having sufficient space to store the power tools, batteries, and the charger).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of providing one or more lists of product combinations to one or more shoppers of Kalagnanam et al. to include providing a carrying case as taught by Hetts in order to provide carrying convenience to the customer when transporting the power tools.

**As per Claim 3**, Kalagnanam et al. discloses the claimed invention as applied to Claim 1, above. However, Kalagnanam et al. fails to explicitly disclose the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery.

Hetts discloses wherein at least two of the selected power tools in the selected group are cordless power tools (Abstract, discloses a cordless, variable-speed, reversible drill/driver being provided in the combo kit), and wherein the act of providing the combo kit further comprises the act of providing a batter charger and at least one rechargeable batter compatible with the battery charger, at least one of the selected cordless power tools being compatible with the battery (Abstract, discloses the combo containing two interchangeable battery packs compatible with both power tools and a one-hour charger).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of providing one or more lists of product combinations to one or more shoppers of Kalagnanam et al. to include the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery as taught by Hetts in order to provide a means to use the power tools provided in the combo kit.

**As per Claim 15**, Kalagnanam et al. discloses a method for providing a power tool combo kit from a provider to a customer, the method comprising the acts of:

providing an available group including multiple cordless power tools of various tool models (Col. 4, Lines 65-67 – Col. 6, Line 35, discloses providing a list of multiple products of various models (i.e. brands));

receiving a customer request of multiple requested power tools from the available group (Col. 8, Lines 23-44, discloses receiving a list of item choices with constraints submitted by the shopper);

providing a selected group of multiple selected power tools in response to the customer request, the selected group corresponding to the customer request (Col. 8, Lines 23-44, via presenting to the shopper a list of possible combinations of products satisfying the constraints in the item choice profile where the shopper selects a combination of products); and

providing a combo kit (Col. 8, Lines 23-44, discloses providing the customer with the selected combination of products).

However, Kalagnanam et al. fails to explicitly disclose the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery.

Hetts discloses wherein at least two of the selected power tools in the selected group are cordless power tools (Abstract, discloses a cordless, variable-speed, reversible drill/driver being provided in the combo kit), and wherein the act of providing the combo kit further comprises the act of providing a batter charger and at least one rechargeable batter compatible with the battery charger, at least one of the selected cordless power tools being compatible with the battery (Abstract, discloses the combo

containing two interchangeable battery packs compatible with both power tools and a one-hour charger).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of providing one or more lists of product combinations to one or more shoppers of Kalagnanam et al. to include the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery as taught by Hetts in order to provide a means to use the power tools provided in the combo kit.

6. Claims 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view of Parks et al. (5,148,094).

The Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claims 3 and 15, above. However, the combination fails to explicitly disclose a battery being incompatible with a power tool and a battery charger being operable with two different batteries.

Parks et al. discloses a charger with a universal battery pack receptacle with the concept of the first-mentioned batter is incompatible with another of the selected cordless power tools, and a second battery is compatible with the other of the selected cordless power tools and incompatible with the at least one of the selected cordless power tools, the battery charger being operable to charge the first battery and the second battery (Col. 1, Lines 47-68; Col. 2, Lines 1-7, discloses having a universal



charger that is compatible with power tools having different battery pack designs (i.e. powers tools being incompatible based on different battery pack designs).

Therefore, from the teaching of Parks et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and Hetts combination to include a battery being incompatible with a power tool and a battery charger being operable with two different batteries as taught by Parks et al. in order to eliminate the need of multiple chargers for power tools having different battery types.

7. Claims 5, 6, 16, 17, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view design choice.

**As per Claims 5 and 16**, the Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claims 1 and 15, above. However, the combination fails to explicitly disclose at least two power tools of the same tool type.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool type since applicant has not disclosed that a combo kit containing at least two power tools of the same tool type solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 6 and 17**, the Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claims 5 and 16, above. However, the combination fails to explicitly disclose at least two power tools of the same tool model.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool model since applicant has not disclosed that a combo kit containing at least two power tools of the same tool model solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 23**, Kalagnanam et al. discloses a method for providing a power tool combo, the method comprising the acts of:

providing an available group including multiple cordless power tools of various tool models (Col. 4, Lines 65-67 – Col. 6, Line 35, discloses providing a list of multiple products of various models (i.e. brands));

selecting a selected group of multiple selected power tools from the available group (Col. 8, Lines 23-44, discloses the server selecting from the electronic catalog a list of products which satisfy the constraints in the item choice profile); and

providing a combo kit including the selected group (Col. 8, Lines 23-44, discloses providing the customer with the selected combination of products).

However, Kalagnanam et al. fails to explicitly disclose at least two power tools of the same tool type; and the combo kit containing a battery charger and a rechargeable battery, and cordless power tools.

Hetts discloses wherein at least two of the selected power tools in the selected group are cordless power tools (Abstract, discloses a cordless, variable-speed, reversible drill/driver being provided in the combo kit), and wherein the act of providing the combo kit further comprises the act of providing a batter charger and at least one rechargeable batter compatible with the battery charger, at least one of the selected cordless power tools being compatible with the battery (Abstract, discloses the combo containing two interchangeable battery packs compatible with both power tools and a one-hour charger).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of providing one or more lists of product combinations to one or more shoppers of Kalagnanam et al. to include the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery as taught by Hetts in order to provide a means to use the power tools provided in the combo kit.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool type since applicant has not disclosed that a combo kit containing at least two power tools of the same tool type solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 24**, the Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claim 23, above. However, the combination fails to explicitly disclose at least two power tools of the same tool model.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool model since applicant has not disclosed that a combo kit containing at least two power tools of the same tool model solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 26**, Kalagnanam et al. discloses receiving a customer request of multiple requested power tools from the available group, the selected group corresponding to the customer request (Col. 8, Lines 23-44, discloses receiving a list of item choices with constraints submitted by the shopper. Col. 8, Lines 23-44; discloses the server selecting from the electronic catalog a list of products which satisfy the constraints in the item choice profile.).

8. Claims 7, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view *Hardware Show Broadens Mix* (August 4, 1997).

The Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claims 1 and 15, above. However, the combination fails to explicitly disclose the available group including both cordless power tools and corded power tools.

*Hardware Show Broadens Mix* discloses power tool kits with the concept of the available group including both cordless power tools and corded power tools (Page 1, discloses a corded version of the Black & Decker wizard rotary tool being included in power tool kits).

Therefore, from the teaching of *Hardware Show Broadens Mix*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and Hetts combination to include the available group including both cordless power tools and corded power tools as taught by *Hardware Show Broadens Mix* in order to meet the needs of the customer.

9. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view Andrews (6,285,986).

The Kalagnanam et al. and Hetts combination discloses the claimed invention as applied to Claims 1 and 15, above. However, the combination fails to explicitly disclose the combo kit as a single purchase unit.

Andrews discloses a method for combining products from one or more vendors together to be sold as a unit with the concept of the combo kit as a single purchase unit (Abstract, discloses combining products and services from one or more vendors together to be sold as a single unit).

Therefore, from the teaching of Andrews, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and Hetts combination to include the combo kit as a single purchase unit as taught

by Andrews in order to provide a cost benefit to the customer when purchasing the combo kit.

10. Claims 9, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of design choice.

**As per Claim 9**, Kalagnanam et al. discloses a method for providing a power tool combo kit, the method comprising the acts of:

providing an available group including multiple power tools of various tool models (Col. 4, Lines 65-67 – Col. 6, Line 35, discloses providing a list of multiple products of various models (i.e. brands));

selecting a selected group including multiple selected power tools from the available group (Col. 8, Lines 23-44, discloses the server selecting from the electronic catalog a list of products which satisfy the constraints in the item choice profile); and

providing a combo kit to the customer, the combo kit including the selected group (Col. 8, Lines 23-44, via presenting to the shopper a list of possible combinations of products where the shopper selects a combination of products).

However, Kalagnanam et al. fails to explicitly disclose the selected group including power tools of the same tool type.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool type since applicant has not disclosed that a combo kit containing at least two power tools of the same tool type solves any stated problem or is for any particular purpose and it appears that the invention would perform

equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 10**, Kalagnanam et al. discloses the claimed invention as applied to Claim 9, above. However, Kalagnanam et al. fails to explicitly disclose at least two power tools of the same tool model.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool model since applicant has not disclosed that a combo kit containing at least two power tools of the same tool model solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any other type or variation of power tools being included in the combo kit.

**As per Claim 14**, Kalagnanam et al. discloses receiving a desired request from a customer of multiple requested power tools from the available group, and wherein the selected group corresponds to the desired request (Col. 8, Lines 23-44, discloses receiving a list of item choices with constraints submitted by the shopper. Col. 8, Lines 23-44; discloses the server selecting from the electronic catalog a list of products which satisfy the constraints in the item choice profile.).

11. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of design choice and in further view of Hetts (December 5, 1999).

**As per Claim 11**, the Kalagnanam et al. and design choice combination discloses the claimed invention as applied to Claim 9, above. However, the combination

fails to explicitly disclose the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery.

Hetts discloses wherein at least two of the selected power tools in the selected group are cordless power tools (Abstract, discloses a cordless, variable-speed, reversible drill/driver being provided in the combo kit), and wherein the act of providing the combo kit further comprises the act of providing a batter charger and at least one rechargeable batter compatible with the battery charger, at least one of the selected cordless power tools being compatible with the battery (Abstract, discloses the combo containing two interchangeable battery packs compatible with both power tools and a one-hour charger).

Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and design choice combination to include the power tools being cordless; and the combo kit containing a battery charger and a rechargeable battery as taught by Hetts in order to provide a means to use the power tools provided in the combo kit.

**As per Claim 12**, the Kalagnanam et al. and design choice combination discloses the claimed invention as applied to Claim 11, above. However, the combination fails to explicitly disclose providing a carrying case.

Hetts discloses providing a carrying case having sufficient space to store the selected power tools, the battery charger, and the battery (Abstract, discloses a lightweight carrying case having sufficient space to store the power tools, batteries, and the charger).



Therefore, from the teaching of Hetts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and design choice combination to include providing a carrying case as taught by Hetts in order to provide carrying convenience to the customer when transporting the power tools.

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of design choice and in further view of Andrews (6,285,986).

The Kalagnanam et al. and design choice combination discloses the claimed invention as applied to Claim 9, above. However, the combination fails to explicitly disclose the combo kit as a single purchase unit.

Andrews discloses a method for combining products from one or more vendors together to be sold as a unit with the concept of the combo kit as a single purchase unit (Abstract, discloses combining products and services from one or more vendors together to be sold as a single unit).

Therefore, from the teaching of Andrews, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al. and design choice combination to include the combo kit as a single purchase unit as taught by Andrews in order to provide a cost benefit to the customer when purchasing the combo kit.

13. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view of Parks et al. (5,148,094) and Kubale et al. (7,339,350).

The Kalagnanam et al., Hetts, and Parks et al. combination discloses the claimed invention as applied to Claim 19, above. However, the combination fails to explicitly disclose a third cordless power tool of the selected group being compatible with both the first battery and the second battery.

Kubale et al. discloses an electrical combination including a battery pack and a power tool with the concept of a third cordless power tool of the selected group being compatible with both the first battery and the second battery (Col. 2, Lines 42-58, discloses a power tool being compatible with a "slide-on" configured battery and a "tower" configured battery via an adapter).

Therefore, from the teaching of Kubale et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al., Hetts, and Parks et al. combination to include a third cordless power tool of the selected group being compatible with both the first battery and the second battery in order to allow the customer to utilize the batteries interchangeably with the power tools.

14. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalagnanam et al. (6,873,967) in view of Hetts (December 5, 1999) and in further view design choice and Andrews (6,285,986).

The Kalagnanam et al., Hetts, and design choice combination discloses the claimed invention as applied to Claim 23, above. However, the combination fails to explicitly disclose a single purchase unit.

Andrews discloses a method for combining products from one or more vendors together to be sold as a unit with the concept of the combo kit as a single purchase unit (Abstract, discloses combining products and services from one or more vendors together to be sold as a single unit).

Therefore, from the teaching of Andrews, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Kalagnanam et al., Hetts, and design choice combination to include the combo kit as a single purchase unit as taught by Andrews in order to provide a cost benefit to the customer when purchasing the combo kit.

15. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Amazon.com* (May 21, 2002) in view of design choice.

*Amazon.com* discloses the claimed invention as applied to Claim 33, above. However, *Amazon.com* fails to explicitly disclose the first power tool and the second power tool being the same tool model.

It would have been an obvious matter of design choice to modify the selected group to include power tools of the same tool model since applicant has not disclosed that a combo kit containing at least two power tools of the same tool model solves any stated problem or is for any particular purpose and it appears that the invention would

perform equally well with any other type or variation of power tools being included in the combo kit.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bailey, Jr. et al. (6,329,788) discloses a cordless power tool system.

Flaxer et al. (US 2003/0033218) discloses a method for supporting customizable solution bundles for e-commerce applications.

Lubars et al. (US 2004/0158480) discloses a system and method for bundling resources.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FONYA LONG whose telephone number is (571)270-5096. The examiner can normally be reached on Mon-Thur 7:30am-6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FML

/Janice A. Mooneyham/

Supervisory Patent Examiner, Art Unit 3689

